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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,637	09/15/2003	Eadaoin Ledwidge	ICC-279	8008
31217	7590	03/13/2006	EXAMINER	
LOCTITE CORPORATION 1001 TROUT BROOK CROSSING ROCKY HILL, CT 06067			SELLERS, ROBERT E	
			ART UNIT	PAPER NUMBER
			1712	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,637	LEDWIDGE, EADAOIN	
	Examiner	Art Unit	
	Robert Sellers	1712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 February 2006.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 and 25 is/are pending in the application.
 4a) Of the above claim(s) 21-23 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) _____ is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) 1-20 and 25 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 15 September 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

The application has been transferred due to the election of the claims directed to the composition. The following election of species requirement is advanced. It was not requested earlier due to the unfamiliarity of the previous examiner with the subject matter of the elected invention.

The election with traverse of Group I in the reply filed on February 15, 2005 is acknowledged. The traversal is on the ground that no additional effort would be required to search all of the claims. This is not found persuasive because the separate classifications of the inventions indicated in the restriction requirement mailed January 10, 2006 confirms a burdensome search in unrelated classes.

The requirement is still deemed proper and is therefore made FINAL.

Claims 21-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected inventions, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on February 15, 2005.

1. This application contains claims directed to the following patentably distinct species:

(i) The UV curable components such as the cycloaliphatic epoxy resin UVR 6128 (bis-(3,4-epoxycyclohexyl adipate according to page 10, line 10) shown in Example 1 on page 18, line 4.

- (ii) The cure-initiating components such as the iodonium salts selected from Uvacure 1600, Rhodasil 2074 or Irgacure 250 disclosed on page 10, lines 28-29.
- (iii) The opacifying components such chosen from page 11, line 10 to page 12, line 10. The structure of the pre-oligomerized CER (CAT002, UCB) cannot be determined and is not discussed on pages 11-12.
- (iv) The adhesion-promoting components such as the Silquest 187 (glycidyl triethoxysilane according to page 13, lines 19-20).
- (v) The presence of absence of the inorganic filler of claim 4, wherein if its presence is elected, a particular species is identified such as the fumed silica of Example 1.
- (vi) The presence of absence of the photosensitizer of claim 15, wherein if its presence is elected, a particular species is designated such as the isopropyl thiaxanthone of Example 1.
- (vii) The presence or absence of the dye or pigment of claim 20, wherein if its presence is elected, a particular species is revealed such as the Blue 50 of Example 1. The chemical structure of Blue 50 dye is not described on page 8, lines 4-26. The species are independent or distinct because the myriad kinds of materials within each of items (i) to (vii) and the various combinations of items (i) to (iv) with items (v), (vi) and/or (vii) necessitates numerous searches within classes 522, 523 and 525.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species ***within each of items (i) to (vii)*** for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-20 and 25 are generic.

A reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

The reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species.

The election of a species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Art Unit: 1712

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. It is unclear how the monofunctional C₄-C₂₈ alkyl glycidyl ethers, C₂-C₂₈ alkyl- and alkenyl glycidyl esters and C₁-C₂₈ alkyl- and mono-phenol glycidyl ethers listed on page 9, lines 10 and 12-14 of the specification and claim 7, lines 3-5 satisfy the claimed UV curable criterion since a monoglycidyl compound having only one epoxy group cannot form a cured product unless blended with a multifunctional epoxy resin.

3. The “[c]ycloaliphatic resin” exhibited on page 18, Example 1, line 3; Example 2, line 26 and page 19, Example 3, line 13 would be more accurately designated as a “cycloaliphatic epoxy resin” as corroborated by page 10, lines 8-12.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Sellers whose telephone number is (571) 272-1093. The examiner can normally be reached on Monday to Friday from 9:30 to 6:00. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

rs 3/8/2006



ROBERT E.L. SELLERS
PRIMARY EXAMINER